

# Home-Based Business Licensing Policy

Responsible Division	Community and Development
Responsible Business Unit/s	Development Approvals
Responsible Officer	Manager Development Approvals
Affected Business Unit/s	Development Approvals

## Purpose

This policy sets out the registration and annual licensing procedure that applies to home-based businesses.

## Objectives

The objectives of this local planning policy are to:

1. Ensure that development is consistent with, and will not detract from residential character and amenity.
2. Ensure that any potential amenity impacts are appropriately managed.

## Introduction

Operating a small business from a residence allows many small enterprises to reduce start-up costs or to continue to operate when it is not viable to lease or purchase commercial premises. However, it is important that these home-based businesses are operated in a manner that does not adversely impact the character and amenity of residential streets, which are primarily places to live, rather than places to work. For this reason it is important for home-based businesses to be registered and maintain a valid licence in order to continue to operate.

## Scope

This policy is applicable to the development of any home-based business operating within the City of Bayswater, on a lot predominately used for an approved single house, grouped dwelling or multiple dwelling.

## Definitions

**Home-based Business** means a use including 'Home Office', 'Home Occupation', 'Home Business' or 'Cottage Industry', as defined in the City of Bayswater Local Planning Scheme.

## Requirements

1. Where the occupant of a dwelling intends to operate a Home Office, a completed Home Office Registration Form must be submitted to the satisfaction of the City.
2. If the City issues development approval to operate a home-based business, a Home-Based Business Licence will also be issued.

- (a) The licence is required to be renewed annually, which will involve the payment of a (pro rata) annual licence fee, in accordance with the City's schedule of fees and charges.
  - (b) Home Offices are exempt from this requirement.
3. The City reserves the right to revoke a Home-Based Business Licence, where it is of the opinion that the use is negatively impacting upon the amenity of a neighbourhood or is causing a public nuisance.
  4. Failure to maintain a valid Home-Based Business Licence will render the approval of the use invalid, meaning that continuation of the activity will be in breach of the Town Planning Scheme and subject to compliance action.

## Related legislation

This policy is adopted under Part 2, Division 2, s. 2.7(2) of the *Local Government Act 1995*.

Relevant Delegations	TP-D01
Council Adoption	14 May 2019